

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

|                             |   |                          |
|-----------------------------|---|--------------------------|
| IN RE:                      | ) | Chapter 11               |
|                             | ) |                          |
| EASTERN LIVESTOCK CO., LLC, | ) | Case No. 10-93904-BHL-11 |
|                             | ) |                          |
| Debtor.                     | ) | Hon. Basil H. Lorch III  |

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON SEPTEMBER 28, 2011 AT 10:00 A.M. EDT**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the hearing scheduled for September 28, 2011 at 10:00 a.m. EDT ("Hearing") in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana. The Trustee anticipates that the matters before the Court for the Hearing will take approximately two (2) hours.

**I. DIAL IN INFORMATION**

The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

**II. CONTINUED MATTER**

1. **["Motion to Quash"]** Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #629) *continued from July 27, 2011, August 8, 2011 and August 22, 2011*
  - a) Brief In Support Of Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #630)
  - b) Response To Motion To Quash Order for 2004 Examination (docket #636 and #638)
  - c) Order On Motion To Quash (docket #662)

Status: *Going forward.*

**III. RELATED MATTERS**

**In re Thomas and Patsy Gibson 10-93867**

2. **["2004 Examination"]** The First Bank and Trust Company's Motion For Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #303)

Status: *Going forward.*

3. **["Motion for Extension"]** Trustee's Motion for Second Extension of Time to File Complaint Objecting to the Debtors' Discharge (docket #314)
  - a. Debtors' Objection To Second Motion Of Kathryn L. Pry, Trustee For Extension Of Time To File A Complaint Objecting To Discharge (docket #335)

Status: *Going forward.*

4. **["Motion for Extension"]** Second Motion Of Fifth Third Bank For Extension Of Time To File A Complaint Objecting The Discharge Of The Debtor And/Or To Determine The Dischargeability Of Certain Debts (docket #315)
  - a. Debtors' Objection To Second Motion Of The Fifth Third Bank For Extension Of Time To File A Complaint Objecting To Discharge (docket #333)
  - b. Debtors' Objection To Second Motion Of The Fifth Third Bank For Extension Of Time To File A Complaint Objecting To Discharge (docket #337)

Status: *Going forward.*

5. **["Motion for Extension"]** United States Trustee's Motion For Extension Of Time Within Which To File Complaint To Deny Discharge (docket #316)

Status: *Going forward.*

6. **["Motion for Extension"]** The First Bank And Trust Company's Motion For Extension Of Time To File A Complaint Objecting To Discharge Of The Debtor Or To Determine Dischargeability Of Certain Debts (docket #319)

- a. Debtors' Objection To Second Motion Of The Fifth Third Bank For Extension Of Time To File A Complaint Objecting To Discharge (docket #334)

Status: *Going forward.*

7. **["Motion for Extension"]** Trustee James A. Knauer's Second Motion For Extension Of Time To File Complaint Objecting To The Debtors' Discharge And To Challenge Dischargeability Of Certain Debts (docket #322)

Status: *Going forward.*

8. **["Motion for Extension"]** The Cattle Group, LLC; Market Management Services, LLC; Agricultural Casualty & Indemnity, LTD; BlueGrass Stockyards, LLC; BlueGrass South Livestock Market, LLC; BlueGrass Stockyards East, LLC; BlueGrass Stockyards of Campbellsville, LLC; BlueGrass Stockyards of Richmond, LLC; BlueGrass Agricultural Development, LLC; BlueGrass Agricultural Development East, LLC; and Bluegrass-Maysville Stockyards, LLC's Second Motion To Extend Time To Object To Discharge And/Or Dischargeability Of Debt (docket #328)

- a. Debtors' Objection To Second Motion Of The Bluegrass Companies For Extension Of Time To File A Complaint Objecting To Discharge (docket #336)

Status: *Going forward.*

9. **["Motion to Pay"]** Trustee Kathryn L. Pry's Motion to Pay Bank and Technology Service Fee as Administrative Expense (docket #346)

Status: *Going forward.*

**In re East-West Trucking Co., LLC 10-93799**

10. **["Motion for Relief"]** Cattlemen's Feedlot, Ltd.'s Motion for Relief from Stay (docket #35)

Status: *Continued final hearing.*

*Agreed Motion for Continuance filed (docket #208).*

#### IV. ADVERSARY PROCEEDINGS

11. **["Downs"]** James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs Willie Downs (Adv. Proc. 11-59086)

Status: Continued pretrial conference.

12. **["Atkinson"]** James A. Knauer, Trustee vs Atkinson Livestock Market, LLC (Adv. Proc. 11-59094)

Status: Continued pretrial conference.

13. **["Friona"]** Friona Industries, LP, et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59093)

- a. Friona Industries L.P.'s First Amended Complaint in the Nature of Interpleader (docket #30)
- b. J&F Oklahoma Holdings, Inc.'s First Amended Intervention And Complaint in the Nature of Interpleader (docket #33)
- c. Cactus Growers, Inc.'s First Amended Complaint In Intervention In The Nature Of Interpleader (docket #34)
- d. Bluegrass South Livestock Market, LLC; Bluegrass Stockyards East, LLC; Bluegrass Stockyards Of Campbellsville, LLC; And Bluegrass-Maysville Stockyards, LLC's Motion To Intervene In Adversary Proceeding (docket #141)
- e. Motion Of Superior Livestock Auction, Inc. To Stay Proceedings (docket #170)
- f. Trustee James Knauer's Response In Opposition To Superior Livestock Auction, Inc.'s Motion To Stay (docket #182)

Status: Continued pretrial conference.

14. **["Innovative"]** Innovative Livestock Services, Inc., et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59098)

- a. Motion Of Superior Livestock Auction, Inc. To Stay Proceedings (docket #25)

Status: Continued status conference.

15. **["Rush Creek Ranch"]** Rush Creek Ranch, LLLP vs Eastern Livestock Company, LLC, et al. (Adv. Proc. 11-59104)

Status: Continued status conference.

16. **["Fredin Brothers"]** Fredin Brothers, Inc. vs Bankers Bank, et al. (Adv. Proc. 11-59108)

Status: Continued status conference.

17. **["Superior"]** Superior Livestock Auction, Inc. vs Eastern Livestock Co., LLC (Adv. Proc. 11-59088)

- a. Superior Livestock Auction, Inc.'s Motion For Partial Judgment On The Pleadings (docket #32)
- b. Third Party Defendants' Joint Motion To Consolidate Or To Dismiss (docket #37)

Status: Status update.

#### **V. NEXT SCHEDULED HEARINGS**

The dial-in telephone number for interested parties to participate in the upcoming scheduled hearings, as indicated below, by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key. The hearings will be held in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana.

| <u>Hearing Date</u> | <u>Time</u>    |
|---------------------|----------------|
| October 25, 2011    | 3:00 p.m. EDT  |
| November 15, 2011   | 1:30 p.m. EST  |
| December 14, 2011   | 10:00 a.m. EST |

Respectfully submitted,

BAKER & DANIELS LLP

By: /s/Terry E. Hall

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 27, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on September 27, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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